



BY-LAWS,  
**Rules and Regulations**

OF THE

**Ontario Union Cemetery**

COMPANY.

**OSHAWA AND WHITBY.**

Incorporated, 1875.

OSHAWA:

LUKE & LARKE, BOOK AND JOB PRINTERS, VINDICATOR OFFICE.  
1875.

## **OFFICERS AND DIRECTORS.**

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F. E. GIBBS,	- -	PRESIDENT.
T. H. McMILLAN,	-	SEC'Y-TREAS.
L. ENGLISH,	- -	SOLICITOR.

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### **DIRECTORS:**

HON. T. N. GIBBS,	M. O'DONOVAN,
J. H. PERRY,	W. H. THOMAS,
W. H. GIBBS,	L. ENGLISH,
Y. GIBSON,	J. S. LARKE.

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#### **OFFICE:**

In the Ontario Loan and Savings Company's Building,  
**OSHAWA.**

## HISTORICAL.

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**F**OR many years there has been felt a want of a suitable Cemetery for the burial of the dead of the towns of Oshawa and Whitby and surrounding country. The dead have hitherto been interred in denominational or local burial grounds of small size. Some of them by the growth of the towns had become so surrounded by the residences of the living that such burial grounds ceased to be the quiet resting places that affection desires the last homes of our relatives should be. They also threatened the health of the living, and prudence dictated that this danger should be removed as speedily as possible. Nearly all these burial places were small, and almost filled, and had begun to assume the neglected appearance that seems to be their lot.

The ground which was the site of the Presbyterian Church before its removal to Oshawa had, by necessity, become a union ground, in which were buried the adherents of all Protestant denominations. This, too, was of small extent, and entirely inadequate to the wants of the rapidly growing population of this portion of the county.

Ordinary forethought demanded that a suitable Cemetery should be procured without unnecessary delay. There is no reason why the bodies of the dead, who had lived together in harmony notwithstanding differences of religious belief, should not rest in one common Cemetery, so large that it would answer for future generations, and so laid out, improved and ornamented that the living could feel that the dead were tenderly cared for. Divided into denominational burial places it would be impossible to have other than small plots of ground poorly laid out, without the means of taking care of them, and which in time would become neglected, overrun with weeds and exposed

to the defilement of wandering animals and the despoiling hand of the trespasser. United together large and handsomely laid out grounds could be procured, which would not only be a quiet and worthy resting place for the dead, but by the care bestowed upon it, be a credit to the living.

A similar reason would show it to be advisable that two towns lying so nearly together as Oshawa and Whitby, should unite their wealth and public spirit in this matter, and together accomplish something better than either could alone. But in order that this could be done a ground lying midway between the two must be obtained.

With these objects in view, a company of gentlemen have purchased the property of the late Rev. Dr. Thornton, and land adjacent thereto, making in all twenty-five acres. This has not only the advantage above named as requisite, but another almost as important, that it bounds and partially surrounds the old Union Cemetery, where so many of the dead of South Ontario are buried.

The land is the crest of a slope which falls to the east and west. The soil is a light loam, which has a natural drainage, and ensures dry graves at all seasons. It has been beautifully laid out by H. A. Englehardt, Esq., who stands at the head of his profession, and has been surrounded by a suitable fence.

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### THE PLAN.

As will be seen by the cut that forms the frontispiece of the book, the plan is a handsome one, giving as it does a large number of winding drives and avenues and an abundance of foot paths. These afford spacious entrances to all the lots and a number of spaces for planting trees and shrubs and other ornamental purposes.

The curved drives divide the Cemetery into nineteen sections, and these again are sub-divided by foot paths into family and smaller burial lots. The space on the left has been laid out into family lots which are 16x12 feet, and afford room for eight bodies. Plots twice or thrice this size can be had by purchasing two or more of these lots. The lots on the right are one-half the size of the family plots and are designed for four bodies.

On the space to the left of the gates it is intended to erect a suitable keeper's lodge, and in the centre space fronting the gates a handsome mortuary chapel will be built.

In accordance with the plan, trees have been planted and ornamental work done which will be continued next season until the Cemetery has been made what it is designed—a place worthy of our dead and honorable to the living.

T H E

ONTARIO    UNION    CEMETERY    COMPANY.

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BY-LAWS.

1. The Annual General Meeting of Stockholders for election of Directors shall be held on the first Monday in February in each year, and at least six days previous notice thereof shall be given by advertisement in a newspaper published in the Village of Oshawa, and by circular letter to each Stockholder.

2. In case of failure to hold any Annual General Meeting of Stockholders on the day appointed therefor by By-Law of the Company, it shall be the duty of the President to appoint, as soon as practicable thereafter, a day for holding such meeting, and in default of his so doing within thirty days from the proper date for holding the same, the Vice-President or Secretary of the Company or any three Directors thereof may appoint a day for holding the same, and in any case the Secretary shall give six days' notice thereof by publication in a newspaper published in the Village of Oshawa, and by circular letter to Stockholders.



3. Special General Meetings of Stockholders may be held at any time by call of the President or any three Directors, of which at least six days' notice shall be given, as mentioned in By-Law No. 2, each notice to state concisely the purpose for which such meeting is called, and no business not mentioned in such notice shall be transacted at such meeting.

4. The affairs of the Company shall be managed by a Board of at least nine Directors, of whom three shall form a quorum for transaction of business, each of whom shall hold at least five shares in the Capital Stock of the Company.

5. The Directors shall be elected annually at General Meetings of the Stockholders, and the retiring Directors shall be eligible for re-election.

6. The Directors shall elect annually from themselves a President and Vice-President and the Directors, President and Vice-President, from time to time elected, shall continue in office until their or his successors or successor shall be elected.

7. If any Director shall die, resign, or become incapable to act as Director, or cease to hold the required number of shares, he shall thereupon cease to be a Director of the Company, and the President, or in his absence the Vice-President, shall convene a special meeting of the Directors, and at such special meeting they shall appoint another Stockholder having the necessary qualification to be a Director in his place.

8. The election of Directors shall be by Ballot, and such election and all questions at the Annual and other General Meetings of the Company shall be decided by a majority of the votes of the members then present, either in person or by proxy, and each member shall be entitled



to as many votes as he holds shares in the Company, but no member in arrears for calls made upon his shares shall be entitled to vote by proxy or otherwise.

9. The Directors shall, from time to time as occasion may require, appoint a Secretary and Treasurer and fix their salaries, but the Directors shall have power to appoint the same person to both offices should they see fit, and they shall also appoint such other officers as they may deem requisite.

10. The Treasurer shall, before entering on the duties of his office, furnish security to the extent of two thousand five hundred dollars, satisfactory to the Directors, and he shall receive and pay all monies for and in behalf of the Company, and his receipt shall in all cases be a sufficient discharge.

11. All receipts and disbursements shall pass through the Bank Account, and the Treasurer shall deposit in the Bank, or such other place as directed, all such monies as he shall receive on account of the Company from time to time, as the same shall amount to one hundred dollars, and no monies shall be drawn from the Bank or such other institution except by cheque signed by the President, or in his absence by the Vice-President, and countersigned by the Treasurer.

12. Two Auditors shall be appointed annually by the Shareholders at their General Meeting, whose duties it shall be to examine and audit the Treasurer's books and accounts and all documents having reference, financially or otherwise, to the business of the Company, and certify and submit a full and detailed statement of the Company's affairs to the Directors on the fifteenth of January in each year, and to the Stockholders at the General Meeting; the Auditors to be paid such sum as the Stockholders at the General Meeting shall determine.

13. No share in the Capital Stock of the Company shall be transferable until all costs thereon in arrear are paid, and no share not fully paid up shall be transferred without the consent of the Directors.

14. All transfers of shares in the Capital Stock of the Company shall be made in the books of the Company, and no transfer of Capital Stock shall be legal, valid or binding until so made.

15. The Cemetery shall be designed, graded and ornamented under the direction of the Directors of the Company. The Company shall keep in good repair the fences and roads, and shall plant trees, shrubs and flowers where it may be desirable. No alteration of the grade of lots by lot owners shall be permitted.

16. Purchasers of lots shall receive a certificate of ownership entitling them to the perpetual holding and use of their lots for the burial of the dead, subject to the Rules and Regulations of the Company.

Read and adopted 2nd September, A. D., 1875.

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### **REGULATING LOT HOLDERS AND THEIR RIGHTS.**

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Lots shall be sold and held only subject to the By-Laws and Regulations of the Company.

Lots shall not be used for any purpose other than for burial of the dead. No lot shall be subdivided and no portion of any lot shall be resold or transferred without the consent of the Company.

Lots may be sold in entirety, but in every such case the transfer must be entered in the books of the Company.

No one who is not a near relative of the holder thereof shall be interred in any lot without the consent in writing of the holder of the lot and payment to the Company of the sum charged for interment in a single grave in the public ground.

No lot holder shall receive compensation for an interment in his lot, and no removal from a lot shall be made without the consent of the Company.

The purchaser of each lot shall erect, at his own expense, and keep in repair, suitable landmarks of stone or iron at the corners thereof, and shall cause the number thereof to be legibly and permanently marked thereon, and in case of default in so doing for thirty days after notice the Company shall cause the same to be done at the expense of the purchaser.

Trees, shrubs and plants may be cultivated but no tree, shrub or plant shall be cut or removed without the consent of the Company.

If any monument, tomb, railing or structure whatsoever, or any inscription, shall be deemed by the Directors of the Company offensive or improper, it shall be the duty of the Directors to remove the same at the expense of the lot holder.

If any tree or shrub in any lot shall, by means of its roots, branches or otherwise, become detrimental to any adjacent lot, path or avenue, the Company may remove the same or such part thereof as shall be so detrimental.

Tombs and vaults may be erected, but in all cases plans and specifications shall first be submitted to, and approved by, the Directors of the Company, and no alterations in such plans and specifications shall be made without the

consent of the Directors ; no body shall be placed in any tomb or vault except in a single compartment and closed hermetically with brick or stone and cement.

Foundations for monuments shall be built of solid masonry at least six feet deep and of sufficient size for the superstructure, and all such foundations, as well as those for enclosures, shall be built under the supervision of an officer of the Company.

In the erection of monuments, vaults, tombs or other structures, a place will be designated by the Superintendent for deposit of the stone, brick or other material therefor, and the same shall not remain on the ground longer than is absolutely necessary for construction, and after their completion all debris shall be removed from the Cemetery at the expense of the lot holder.

The Company will undertake to plant and keep lots in order when requested to do so at such rates as shall be agreed upon.

The Company will receive in trust from any person a sum of money not less than one hundred dollars, the income whereof shall be applied to the repair of his lot according to the terms of the trust.

The Company will also guarantee the perpetual repair of lots upon payment to them of such sum of money as they may deem sufficient for that purpose.

All monies received by the Company for the purpose of keeping lots in repair shall collectively constitute a separate fund to be called the "Repair Fund," and shall be kept invested in such security as the Directors of the Company shall approve.

Each lot in relation to which such contract shall be made shall be credited in a book to be kept for that purpose, with the principal sum given on account of such lot, and

at the close of each year a rateable portion of the net income of the whole repair fund, less one-half per cent, shall be carried to the credit of each such lot.

Proprietors of lots and members of their families shall be allowed access to the Cemetery at all reasonable hours on complying with the rules for regulation of visitors.

Proprietors of lots shall keep them in proper repair to the satisfaction of an officer of the Company to be appointed for that purpose, and in default thereof the Company may repair such lots at the expense of the owner thereof.

### **Relating to Interments.**

When an interment is to be made timely notice shall be given at the office of the Company and a permit therefor obtained specifying

The name of deceased,  
Place of birth,  
Place of residence at death,  
Date of death,  
Disease,  
Names of parents,  
Religious denomination,  
Name of medical attendant,  
Name of undertaker,  
Size of coffin,  
In whose lot to be interred,  
Time of interment.

All interments will be subject to the following charges, which shall be paid to the Secretary upon obtaining permit :

For opening, closing and sodding grave	
under 4ft. in length,.....	\$
For opening, closing and sodding grave	
over 4ft. in length,.....	
For opening or closing any private	
tomb or vault,.....	

No grave or tomb shall be opened for interment or removal by any one not in the employ of the Company.

### Single Graves.

When a single grave only is wanted, the following charges will be made therefor, (payable to the Secretary on obtaining permit) which cover the entire expense for the ground and for opening and closing the grave :

For a person under 15 years of age, . . . . .	\$
“                    over 15                    “ . . . . .	

Should any person who has purchased a single grave wish at any time thereafter to purchase a lot, the price paid for such single grave will be deducted from the price of the lot, and a charge of                      dollars will be made to cover the expense of removal.

### Relating to Visitors.

No vehicle shall be admitted unless accompanied by a lot holder or a member of his or her household with his or her ticket, unless the person applying shall present a special ticket of admission obtained at the office of the Cemetery or from a Director.

No vehicle shall pass through the Cemetery at a rate exceeding four miles an hour.

No person shall be admitted on horseback without a special ticket of admission.

No vehicle or horse shall on any pretence whatever be driven upon or over a burial lot.

Drivers of carriages at funerals shall remain in their seats during the performance of funeral ceremonies.

Proprietors of carriages and horses will be held responsible for damages done by them or their drivers.

No horse shall be left unfastened or where it may do damage.

No person having refreshments will be admitted in the Cemetery. Persons having baskets must leave them in charge of the gate keeper.

Dogs will not be permitted in the Cemetery.

All persons are prohibited from picking any flower, wild or cultivated, and from breaking any tree, shrub or plant.

All persons are prohibited from writing or defacing or injuring any monument, fence or other structure or tree, in or belonging to the Company.

The gate keeper shall prohibit the entrance into the Cemetery of improper persons, and also of those, though presenting tickets, who shall be known to have at any time wilfully transgressed these Rules.

No money shall be paid to the gate keeper or to any other person in the employ of the Company in reward for any personal services or attentions.

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## THE ONTARIO UNION CEMETERY COMPANY.

### CERTIFICATE OF OWNERSHIP NO. ———

The Ontario Union Cemetery Company hereby certify that ——— of the ——— of ——— in the County of ——— the owner of lot No. ——— in the ——— range of section lettered ——— on the plan of The Union Cemetery in the Township of East Whitby, in the County of Ontario, for which he paid the sum of ——— dollars, ——— entitled to the use of the said lot forever for the purpose of sepulture only, but subject to the By-Laws, Rules and Regulations of the Company. The said lot can only be sold with the consent of the Directors of the Company, and no transfer thereof will be valid till registered in the books of the Company in accordance with the Rules of the Company regulating thereto.



Witness the Corporate Seal of The Ontario Union Cemetery Company affixed hereto this——day of——one thousand eight hundred and seventy-five.

\_\_\_\_—President.  
\_\_\_\_—Secretary.

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THE ONTARIO UNION CEMETERY COMPANY.

LOT OWNER'S TICKET (NOT TRANSFERABLE).

This ticket admits——and the members of——household, with privilege of introducing strangers. All subject to the Rules of the Company.

By order of the Directors.

\_\_\_\_—Secretary.

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THE ONTARIO UNION CEMETERY COMPANY.

FORM OF PERMIT.

Permit issued at——M——, A.D. 18——  
To the Superintendent of the Cemetery :

Prepare to receive the remains of——who died at  
——, A.D. 18——, aged——years.

Prepare a grave——feet——inches long,——feet  
——inches wide in Lot No.——, in Range No.——, in  
Section—— belonging to——. Interment——at  
——M.

Oshawa,——, A.D. 18——.

\_\_\_\_—Secretary.

\_\_\_\_—Undertaker.

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THE ONTARIO UNION CEMETERY COMPANY.

SINGLE GRAVE TICKET.

This ticket admits——subject to the Rules of the Company.

By Order of the Directors.

\_\_\_\_—Secretary.

THE ONTARIO UNION CEMETERY COMPANY.

VISITOR'S TICKET.

Permit—— to visit The Ontario Union Cemetery  
subject to the Rules of the Company.

This ticket to be given up at the gate.

By order of the Directors.

Oshawa,——187 .

———Secretary.

FORM OF APPLICATION FOR BURIAL PERMIT.

To the Secretary of the Ontario Union Cemetery Company :

Required permit for burial of———

Name of deceased,

Place of birth,

Place of residence at death,

Date of death,

Disease,

Name of Father,

Name of Mother,

Religious denomination of deceased,

Name of medical attendant,

Name of undertaker,

Size of coffin,

Owner of lot,

No. of lot, range and section,

Day of week and month of interment,

Hour of interment,

Signature of applicant,

Date of application.

